

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In Re:

Chapter 7 BKY No. 20-31117

COLETTE M. BREITER

STIPULATION

Debtor(s)

1. This chapter 7 bankruptcy was filed on April 20, 2020 and is pending in this court.
2. The debtor had previously filed a chapter 7 bankruptcy on June 25, 2020. She received a chapter 7 discharge on September 25, 2012 in the prior case.
3. The present case was filed as a result of confusion regarding the date of the previous filing and a failure of debtor's counsel's firm to properly employ routine procedures that would have prevented an infirm filing, not by intent of the debtor to fraudulently obtain an untimely discharge.
4. The United State Trustee has filed a motion to deny the discharge in the instant case, noting the previous discharge was granted within eight years of the current case.
5. The parties agree that the debtor is not eligible for a discharge in this case and hereby stipulate thereto.
6. The debtor's schedules show no property of value to the bankruptcy estate and thus no likelihood of a dividend to creditors.
7. Given the above, there is no useful purpose evident in continuing to administer this bankruptcy case and the parties hereto request that the case be dismissed and closed forthwith without entry of a discharge.

Dated: May 14, 2020

/e/ Michael Dietz +
Michael Dietz, Trustee
30 3rd Street SE Suite 400
Rochester, MN 55904
Telephone: (507) 288-9111

Dated: May 14, 2020

/e/ Mark Halverson
Mark Halverson
Attorney for Debtor
Colette M. Breiter
Halverson Law Office

P.O. Box 3544
Mankato, MN 56002
507-345-1535

Dated: May 14, 2020

JAMES L. SNYDER
ACTING UNITED STATES
TRUSTEE REGION 12

BY: /e/ Sarah J. Wencil
Sarah J. Wencil Trial Attorney
1015 U.S. Courthouse
300 South Fourth St.
Minneapolis, MN
55415 (612) 334-1350
IA ATTY NO. 14014

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

Chapter 7 BKY No. **20-31117**

COLETTE M. BREITER

ORDER

Debtor(s)

1. The United State Trustee has filed a motion to deny the discharge in the instant case.
2. The relevant parties agree that the debtor is not eligible for a discharge in this case and have stipulated thereto.
3. The parties have agreed there is no useful purpose evident in continuing to administer this bankruptcy case and have requested that the case be dismissed and closed forthwith without entry of a discharge.

WHEREFORE, this bankruptcy case is hereby dismissed without prejudice.

Dated: May____, 2020

The Honorable Hon. William J. Fisher
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
THIRD DIVISION**

In Re:

Chapter 7 BKY No. **20-31117**

COLETTE M. BREITER

Debtor(s)

**UNSWORN DECLARATION
OF SERVICE**

I, **Marian Determan**, an employee of the law firm Halverson Law Office, declare that on May 14, 2020, I delivered a copy of the attached **STIPULATION** in person and/or by facsimile and/or by first class mail, postage prepaid and/or electronically delivered by e-mail notification under CM/ECF on the date e-filed with the Court to each entity named below and/or on the following page at the address stated for each entity.

Colette Breiter
47557 120th St
Blue Earth, MN 56013

Executed on May 14, 2020

/e/ Marian Determan
Marian Determan
Halverson Law Office
600 South 2nd Street
PO Box 3544
Mankato, MN 56002-3544
507-345-1535